REMARKS

The application contains claims 7-10, 16-24, 26 and 28-36. By this amendment, claim 25 has been canceled and claims 24 and 26 have been amended. No new matter has been added. In view of the foregoing amendments and following remarks, Applicants respectfully request allowance of the application.

Personal Interview

Applicants thank Examiner Song for the courtesies extended to Applicants' representatives Robert Hails and Wesley Jones during the personal interview of June 6, 2006. At the interview, Applicants' representatives presented an explanation of the underlying technology as well as an explanation of the differences between the cited prior art and the claimed subject matter. Portions of these arguments are repeated here. The Examiner stated that he would prepare and provide a summary of the substance of the interview at a later time.

During the interview, the Examiner indicated that the rejection of claim 7 under 35 U.S.C. § 102(e) based on Anderson (U.S. Patent No. 6,003,130) would be withdrawn, based on those arguments presented by Applicants' representatives. Accordingly, Applicants believe claim 7 is allowable. Further, claim 8 depends from independent claim 7 and is allowable for at least the reasons applicable to claim 7, as well as due to the features recited therein.

The Examiner also responded favorably to arguments directed to other independent claims, although formal agreement was not reached.

Allowable Claims

Applicants thank the Examiner for indicating the allowability of claims 18, 19, 21, 23 and 25.

In order to expedite prosecution, claim 24 has been amended to add the recited features of allowable claim 25. Claim 24 is therefore believed to be in condition for allowance.

Prior Art Rejections

Claim 9 Defines over Follendore

Claim 9 stands rejected under 35 U.S.C. § 102(b) as being anticipated by *Follendore* (U.S. Patent No. 5,369,707). Applicants respectfully request withdrawal of this rejection because *Follendore* does not teach or suggest all elements of independent claim 9.

Claim 9 recites:

> A computer system, comprising:
> > a processor,
> > firmware electrically connected to the processor, the firmware comprising:
> > > **a first storage space to store a first system BIOS**, the first storage space being a read only memory,
> > > **a second storage space to store a second system BIOS and an index table**, the index table associating elements of the second system BIOS with elements of the first system BIOS.

Follendore does not disclose a first storage space to store a first system BIOS and a second storage space to store a second system BIOS and an index table but instead discloses the use of first and second BIOS information (i.e., descriptive information of a BIOS and not BIOS program code) to generate a passphrase. Further, *Follendore* does not disclose an index table associating elements of a second system BIOS program with elements of a first system BIOS program. *Follendore* therefore fails to teach or suggest each element of claim 9. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claim 10 depends from independent claim 9 and is allowable for at least the reasons applicable to claim 9, as well as due to the features recited therein.

Claim 16 Defines over Rakavy et al.

Claim 16 stands rejected under 35 U.S.C. § 102(e) as being anticipated by *Rakavy et al.* (U.S. Patent No. 5,978,912). Applicants respectfully request withdrawal of this rejection because *Rakavy et al.* does not teach or suggest all elements of independent claim 16.

Claim 16 recites:

> A BIOS processing method, comprising:
> > executing a system BIOS from a default memory space,
> > executing an ancillary BIOS according to:
> > > determining whether an ancillary BIOS exists in an alterable memory space,
> > > if no ancillary BIOS exists in the **alterable memory space**, executing an ancillary BIOS from the **default memory space**.

Rakavy et al. does not disclose more than one ancillary BIOS stored in separate locations with an ancillary BIOS stored in a memory space separate from a memory space containing a system BIOS. Instead, *Rakavy et al.* specifies a network enhanced BIOS stored in the same memory space as the conventional BIOS ("non-volatile memory device 125 [holds] the conventional BIOS and network enhanced BIOS"; col. 18, line 20). Further, *Rakavy et al.* does

not disclose a selection between ancillary BIOSes to execute, since Rakavy discloses only a single "extra" BIOS (thereby obviating any selection or determination process). *Rakavy et al.* therefore fails to teach or suggest each element of claim 16. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 17-19 depends from independent claim 16 and are allowable for at least the reasons applicable to claim 16, as well as due to the features recited therein.

Claim 20 Defines over Rakavy et al.

Claim 20 stands rejected under 35 U.S.C. § 102(e) as being anticipated by *Rakavy et al.* Applicants respectfully request withdrawal of this rejection because *Rakavy et al.* does not teach or suggest all elements of independent claim 20.

Claim 20 recites:

> An ancillary BIOS processing method, comprising:
> determining whether an ancillary BIOS package is present in an **enhancement space of firmware**,
> if the ancillary BIOS package is present, determining whether a predetermined user command has been entered,
> if the predetermined user command has not been entered, executing the ancillary BIOS package from the enhancement space,
> otherwise, executing an ancillary BIOS from a **default space of firmware**.

As discussed above in regards to claim 16, *Rakavy et al.* does not teach or suggest more than one ancillary BIOS stored in separate locations. Further, *Rakavy et al.* does not disclose determining which ancillary BIOS to execute based on the issuance of a predetermined user command. *Rakavy et al.* therefore fails to teach or suggest each element of claim 20. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claim 21 depends from independent claim 20 and is allowable for at least the reasons applicable to claim 20, as well as due to the features recited therein.

Claim 22 Defines over Rakavy et al.

Claim 22 stands rejected under 35 U.S.C. § 102(e) as being anticipated by *Rakavy et al.* Applicants respectfully request withdrawal of this rejection because *Rakavy et al.* does not teach or suggest all elements of independent claim 22.

Claim 22 recites:

> An ancillary BIOS processing method, comprising:

> determining whether an ancillary BIOS package is present in an **enhancement space of firmware**, the ancillary BIOS package including a BIOS update,
> if the ancillary BIOS package is present, determining whether a predetermined flag has been set in the firmware,
> if the predetermined flag has been set, executing the ancillary BIOS package from the enhancement space,
> otherwise, executing an ancillary BIOS from a **default space of firmware**.

As discussed above in regards to claim 20, *Rakavy et al.* does not teach or suggest more than one ancillary BIOS stored in separate locations. Further, *Rakavy et al.* does not disclose determining which ancillary BIOS to execute based on the setting of a predetermined flag. *Rakavy et al.* therefore fails to teach or suggest each element of claim 22. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claim 23 depends from independent claim 22 and is allowable for at least the reasons applicable to claim 22, as well as due to the features recited therein.

Claim 26 Defines over Shipman et al.

Claim 26 stands rejected under 35 U.S.C. § 102(b) as being anticipated by *Shipman et al.* (U.S. Patent No. 5,671,413). Applicants respectfully request withdrawal of this rejection because *Shipman et al.* does not teach or suggest all elements of independent claim 26.

Claim 26 recites:

> A video BIOS processing method, comprising:
> during execution of a system BIOS, determining whether a **first video BIOS exists in an alterable firmware section** of a memory system,
> if no video BIOS exist in the alterable section, executing a **second video BIOS in a nonalterable firmware section** in the memory system.

Shipman et al. copies BIOS components stored in ROM to RAM as needed and does not disclose the possibility of more than one BIOS of the same type stored in separate memory locations. Further, *Shipman et al.* does not disclose any process for selecting which BIOS, of a certain type, to execute based on detecting the presence of a particular BIOS. *Shipman et al.* therefore fails to teach or suggest each element of claim 26. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 28-30 depend from independent claim 26 and are allowable for at least the reasons applicable to claim 26, as well as due to the features recited therein.

Claim 31 Defines over Shipman et al.

Claim 31 stands rejected under 35 U.S.C. § 102(b) as being anticipated by *Shipman et al.* Applicants respectfully request withdrawal of these rejections because *Shipman et al.* does not teach or suggest all elements of independent claim 31.

Claim 31 recites:

> A video BIOS processing method, comprising:
> determining whether a video BIOS package is present in an **enhancement space of firmware**,
> if the video BIOS package is present, **determining whether a predetermined user command has been entered**,
> if the predetermined user command has not been entered, executing the video BIOS package from the enhancement space,
> otherwise, executing a video BIOS from a **default space of firmware**.

As discussed above in regards to claim 26, *Shipman et al.* does not disclose the possibility of more than one BIOS of the same type (video BIOS) stored in separate memory locations. Further, *Shipman et al.* does not disclose determining which video BIOS to execute based on the issuance of a predetermined user command. *Shipman et al.* therefore fails to teach or suggest each element of claim 31. Accordingly, Applicants respectfully that this rejection be reconsidered and withdrawn.

Claim 32 depends from independent claim 31 and is allowable for at least the reasons applicable to claim 31, as well as due to the features recited therein.

Claim 33 Defines over Shipman et al.

Claim 33 stands rejected under 35 U.S.C. § 102(b) as being anticipated by *Shipman et al..* Applicants respectfully request withdrawal of these rejections because *Shipman et al.* does not teach or suggest all elements of independent claim 33.

Claim 33 recites:

> A video BIOS processing method, comprising:
> during execution of a system BIOS, determining whether a video BIOS package is present in an **enhancement space of firmware**, the video BIOS package in the enhancement space including a BIOS update,
> if the video BIOS package is present, **determining whether a predetermined flag has been set in the firmware**,
> if the predetermined flag has been set, executing the video BIOS package from the enhancement space,

otherwise, executing a video BIOS from a **default space
of firmware**.

As discussed above in regards to claim 31, *Shipman et al.* does not disclose the
possibility of more than one BIOS of the same type (video BIOS) stored in separate memory
locations. Further, *Shipman et al.* does not disclose determining which video BIOS to execute
based on the setting of a predetermined flag. *Shipman et al.* therefore fails to teach or suggest
each element of claim 33. Accordingly, Applicants respectfully that this rejection be
reconsidered and withdrawn.

Claim 34 depends from independent claim 33 and is allowable for at least the reasons
applicable to claim 33, as well as due to the features recited therein.

Claim 35 Defines over Shipman et al.

Claim 35 stands rejected under 35 U.S.C. § 102(b) as anticipated by *Shipman et al.* Applicants
respectfully request withdrawal of these rejections because *Shipman et al.* does not teach or
suggest all elements of independent claim 35.

Claim 35 recites:

A video BIOS processing method, comprising:

during execution of a system BIOS, determining whether a video BIOS
package is present in an enhancement space of firmware, **the video BIOS
package in the enhancement space including a BIOS update,**

if the video BIOS package is present in the enhancement space,
decompressing the video BIOS package, and
executing the video BIOS package.

Shipman et al. fails to disclose a video BIOS package including a BIOS update which
enables a portion of a BIOS already stored on a computer to updated in a modular fashion.
Instead, *Shipman et al.* (see col. 1, line 25) suggests that the BIOS components stored in ROM
are stored on the computer at the time of manufacture and are not alterable. As such, *Shipman
et al.* fails to disclose a video BIOS including an updated BIOS component. *Shipman et al.*
therefore fails to teach or suggest each element of claim 35. Accordingly, Applicants
respectfully that this rejection be reconsidered and withdrawn.

Claim 36 depends from independent claim 35 and is allowable for at least the reasons
applicable to claim 35, as well as due to the features recited therein.

IDS of December 12, 2005

Due to a clerical error, the IDS of December 12, 2005 was filed under § 1.97(b).
Applicants hereby certify that the requirements of § 1.97(e)(1) were met at the time of filing the
IDS. Each of the references cited in the IDS were indicated to be considered by the Examiner
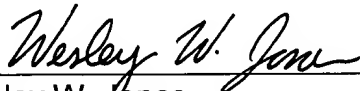in the Office Action of February 7, 2006.

CONCLUSION

Applicants respectfully requess entry of the above amendments and favorable action in connection with this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Kenyon & Kenyon Deposit Account No. 11-0600. The Examiner is invited to contact the undersigned at (202) 220-4419 to discuss any matter concerning this application.

All claims are allowable. Allowance is solicited.

Respectfully submitted,

Date: July 7, 2006

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